



KENTUCKY TRANSPORTATION CABINET
Department of Highways
Permits Branch

TC 99-32E
Rev. 06/2007
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PERMIT FOR ADVERTISING DEVICE

Effective Date _____

Area _____ Sq. Ft.

Permit Number AD - - _____

Billboard Metal
Tag Number _____

- ☐ Parkway Route
- ☐ Interstate Route
- ☐ Federal Aid Primary Route
- ☐ National Highway System
- ☐ On Premise
- ☐ Zoned Commercial or Industrial
- ☐ Unzoned Commercial or Industrial

PURSUANT TO KRS 177.830 TO 177.890 AND THE RULES AND REGULATIONS ADOPTED PURSUANT THERETO, THIS PERMIT IS ISSUED TO:

Name of Business

Street or Post Office Box

City or Town

State

for an advertising device located

Message reads _____

The holder is authorized to maintain and operate an advertising device as described in the application on the premises and location described above. The holder hereby promises to comply with the law and regulations issued pursuant thereto.

This permit is transferable only upon approval by the Transportation Cabinet, but only for the identical advertising device and location for which issued. This permit may be revoked for non-compliance with the law or regulations if the Transportation Cabinet should in the future find that the location or continued operation of such advertising device is no longer compatible with the safety and convenience of the traveling public.

PROVISIONS OF THIS PERMIT ON INTERSTATE OR PARKWAY HIGHWAY

1. Permittee agrees to construct, use, and maintain the authorized advertising device as provided for in this permit.
2. Permittee shall be permitted to construct a device if it is one which meets one or more of the following conditions:
 - (a) Indicates the name and address of the owner, lessee, or occupant of such property.
 - (b) Shows the type of business or profession conducted on such property.
 - (c) Gives information that is required or authorized by law to be posted or displayed thereon.
 - (d) Indicates the sale or leasing of the property upon which it is placed.
 - (e) Complies with the applicable zoning ordinances and regulations of any county or city and is to be located in a commercially or industrially developed area, and the Secretary of Transportation determines that the location of such advertising device is compatible with the safety and convenience of the traveling public.
 - (f) Is not visible from any traveled portion of the highway.
 - (g) Indicates advertising customarily used at similar places of business that are not intended to attract the attention of motorists from the main traveled way of the highway.
 - (h) Indicates the advertisement of an activity conducted or sale of goods and services on the property where the advertising device is located.
3. Prohibited Advertising Devices:
 - (a) Devices advertising an activity that is illegal under state or federal law.
 - (b) Obsolete advertising devices.
 - (c) Devices that are not clean and in good repair.

- (d) Devices that are not securely affixed to a substantial structure.
 - (e) Devices illuminated by other than white lights.
 - (f) Devices which attempt or appear to attempt to direct the movement of traffic or which interfere with, imitate, or resemble any official traffic sign, signal, or traffic control device.
 - (g) Devices which prevent the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.
 - (h) Devices which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights, unless such devices are electronic sign on-premise devices which comply with 603 KAR 3:080 criteria for such devices.
 - (i) Devices which use lighting in any way unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main traveled way of a highway or unless it is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle or to otherwise interfere with any driver's operation of a motor vehicle.
 - (j) Devices which move or have any animated or moving parts.
 - (k) Devices erected or maintained upon trees, or painted or drawn upon rocks or other natural features.
 - (l) Devices exceeding 1,250 square feet in area, including border and trim, but excluding support.
 - (m) Devices not permitted by, or devices not conforming with, local zoning ordinances or regulations.
 - (n) Devices closer than 50 feet to the edge of the main traveled way of any interstate or parkway highway.
4. It shall be the responsibility of the permittee to notify the district office in writing when the erection of an approved advertising device has been completed.
5. Any advertising device erected, maintained, replaced, relocated, repaired, or restored in violation of the rules and regulations pertaining to such devices is declared to be a public nuisance and shall be removed by the permittee or owner of the device within thirty (30) days. If the owner of the sign fails to remove it within this time, such device may without notice, be abated and removed by any officer or employee of the Transportation Cabinet or, upon request of the Secretary, by any peace officer.

PROVISIONS OF THIS PERMIT ON FEDERAL AID PRIMARY OR NATIONAL HIGHWAY SYSTEM HIGHWAY

- 1. Permittee agrees that the permitted device will be erected and maintained at the specific location within the criteria so described and to the specific dimensions that are denoted on the approved permit application from that which was utilized to obtain this permit.
- 2. Any changes in the location, size, or illumination shall render this permit invalid unless prior approval of such changes are obtained from the Transportation Cabinet.
- 3. In commercial or industrial areas, the message on the device may be changed without affecting the legality. However, on-premise devices shall advertise only activities conducted on the premise; therefore, a change in the message of on-premise devices could render the permit invalid. If the permittee has any doubts, he/she should contact the Transportation Cabinet.
- 4. Permits issued under grandfather authority are valid only as long as the device remains in acceptable condition under routine maintenance. Renovation or reconstruction is not permitted. Routine maintenance of these devices shall be limited to replacement of nuts and bolts, additional nailing, riveting, or welding, cleaning, and manipulation to level or plumb the device but not to the extent of adding guys or struts for stabilization of the device.
- 5. In the event of zone changes being adopted that create a situation where a permitted device is no longer in a conforming zone, the device will be allowed to remain in place and be reclassified as non-conforming.
- 6. Permit for advertising devices in areas that are "unzoned commercial or industrial" may be canceled if the facility which created the zone ceases to exist. Variation of this condition and policy governing the variation follow:
 - (a) If a business is closed and/or the applicable permanent structure is removed (by man, fire, or natural calamity), the advertising device may remain and be classified as non-conforming and subject to routine maintenance until such time as funds are available and appropriated to justly compensate the taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display, or device.

Recommended for Approval

Approval